

ORDINANCE 1523

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ESTABLISHING INTERIM ZONING REGULATIONS AS AUTHORIZED BY THE GROWTH MANAGEMENT ACT PROHIBITING COMMERCIAL TRUCK CENTERS AND PARKING; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, due to the potential adverse impacts to air quality, noise, traffic and city streets, economics and infrastructure, the City of North Bend has determined additional commercial truck travel centers, truck parking or expansion of the existing truck travel center, beyond the current site, is not in the best interest of North Bend without additional in-depth analysis; and

WHEREAS, the office of City Public Works Director is currently vacant, and it is imperative that the City's Public Works Director participate in this analysis in order to adequately address traffic, circulation and infrastructure impacts; and

WHEREAS, the City has determined that an interim zoning regulation adopted under the provisions of RCW 36.70A.390 is necessary in order to allow adequate time for the City to adequately analyze the truck travel center land use and its impacts, and for the Community and Economic Development Department to bring forth related regulations for Planning Commission and City Council consideration;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings of Fact and Adoption of Interim Zoning Regulations: The City Council hereby adopts the "Whereas" clauses set forth above as its findings of fact in support of this interim ordinance. The City Council further adopts as interim zoning regulations the following amendments to Chapter 18.06 (Definitions) and Chapter 18.10 (Special District, East North Bend Master Plan Overlay District (ENB-MPOD)) of the North Bend Municipal Code:

18.06 Definitions

Commercial truck center/service area means a commercial facility which provides refueling, rest area, day or overnight truck parking, food, truck maintenance services and other services for the commercial freight and truck industry and associated drivers.

18.10.025.C.3.d.ii(F)

(F) Commercial truck center/service area is prohibited.

18.10.025.C.3.d.iv

iv. Commercial Truck Center/Service Areas. The ENB-MPOD includes an existing commercial truck travel center, commonly known as Truck Town, which is located on approximately 15.5 acres in the Interchange Commercial zone. Due to its location at the base of Snoqualmie Pass and at the gateway to the Puget Sound area, commercial truck traffic and overnight truck parking is often an issue, creating unmitigated adverse impacts to the city's streets and air quality. This facility is currently the only commercial truck center in King County. The city has determined a new commercial truck center/service area or expansion of the existing use, beyond the current site, is not in the best interest of North Bend and therefore prohibited. The existing commercial truck center/service area may continue to operate and improve the facility, at its current site, subject to the provisions below. As used in this section, "substantial improvements" means improvements worth more than 50 percent of the assessed value of the original building(s).

(A) Substantial improvement to existing commercial truck travel center facilities shall make available truck stop electrification capabilities, or other means for each truck to utilize to eliminate idling.

(B) Substantial improvement to existing commercial truck travel center facilities shall require full compliance with the North Bend Municipal Code.

(C) Any redevelopment of the existing 15.5-acre commercial truck travel center located in the Interchange Commercial zone shall locate all retail, restaurants and commercial buildings along 468th Avenue SE and North Bend Way (see Figure 18.10.025-2, commercial building priority area). Truck and vehicular parking and truck service areas shall be placed to the rear and internal areas of the site. Truck parking is prohibited adjacent to North Bend Way or 468th Avenue SE.

(D) Commercial truck parking areas shall not be located adjacent to public streets, unless a 30-foot, Type 2 landscape buffer is provided.

(E) Performance Standards. Commercial truck travel centers and related uses shall comply with the performance standards as set forth in NBMC 18.10.050.

(F) Permitted Uses. For Interchange Commercial zoned property within the ENB-MPOD, all uses permitted in the IC zone as identified in NBMC Table 18.10.030, Permitted and Conditional Land Uses, are permitted including commercial truck travel center.

Section 2. Public Hearing and Effective Period: Pursuant to RCW 36.70A.390, the City Council shall conduct a public hearing on this ordinance within 60 days of its adoption. This ordinance shall be effective for one year from its effective date, and the

Mayor is requested to implement the Work Plan described below in order to prepare and bring forward to the Planning Commission and City Council proposed permanent regulations for commercial truck center/service areas.

- 1) Public Works Director Recruitment and Hiring: April – June 2014;
- 2) Public Works Director analysis and evaluation of City needs and impacts to City infrastructure arising from commercial truck center/service areas: July 2014 – November 2014;
- 3) Preparation of proposed code amendments and related Staff Report by Public Works staff and Community and Economic Development staff: November – January 2015;
- 4) Planning Commission consideration of code amendments, including public hearing(s), and recommendation to City Council: January – March, 2015; and
- 5) City Council consideration of Planning Commission recommendation: April 2015.

Section 3. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 15TH DAY OF APRIL, 2014.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: April 23, 2014
Effective: April 28, 2014

Susie Oppedal, City Clerk